

THOMAS J. SULLIVAN
COUNSELOR AT LAW

930 GRAND CONCOURSE
BRONX, NEW YORK 10451

TEL: 718-590-7800
FAX: 718-590-7082

JUNE 9, 2008

BY ECF

HONORABLE COLLEEN McMAHON
UNITED STATES DISTRICT COURT
300 QUARROPAS STREET
WHITE PLAINS, NY 10601

Re: **REQUEST FOR ADJOURNMENT**
U.S. v. Nicholas Santana
07 Cr. 580-02 (CM)

Dear Judge McMahon,

Counsel respectfully requests that the Court adjourn the sentencing of Mr. Santana scheduled for June 13, 2008, for 30 days. Due to Counsel's recent entry into this case, the complexities of the legal issues involved, and because of the Government's recent request for the Court to conduct a hearing regarding a potential conflict of interest under United States v. Curcio, 690 F.2d 881 (2d Cir. 1982), it appears that Counsel will need additional time to complete a Sentencing Memorandum on Mr. Santana's behalf.

Should the Court grant this request, Counsel would file Mr. Santana's Sentencing Memorandum by June 30, 2008, the Government could respond, if at all, by July 7, 2008, and Mr. Santana could be sentenced at a date convenient to the Court on or about July 7, 2008. Following conversations with the Government last Friday, the Government has consented to Counsel's request and the foregoing motion schedule. Counsel has not requested any prior adjournments, or extensions of time in connection with this matter.

Because of the press of other matters, Counsel will be unable to meet and advise Mr. Santana regarding his Sixth Amendment right to conflict free representation until June 11, 2008. However, Counsel would be prepared to proceed to a Curcio examination of Mr. Santana on June 13, 2008.

Thank you for your attention in this matter.

Very truly yours,

THOMAS J. SULLIVAN
COUNSEL FOR NICHOLAS SANTANA